27 October 2022

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**BROOKE ENNIS**

**Date of hearing:** 25 October 2022

**Panel:** Justice Shane Marshall (Deputy Chairperson) and Judge Marilyn Harbison.

**Appearances:** Mr Anthony Pearce appeared on behalf of the Stewards.

Ms Brooke Ennis represented herself.

**Charges:** Greyhounds Australasia Rule (“GAR”) 83(1A) states:

(1A) A person who –

(a) administers, attempts to administer or causes to be administered a prohibited substance to a greyhound;

(b) aids, abets counsels or procures any person to administer a prohibited substance to a greyhound; or

(c) has prior knowledge of a prohibited substance being administered to a greyhound

which is detected in any sample taken from such greyhound that has been presented for an Event or when subject to any other contingency provided for pursuant to these Rules, shall be guilty of an offence.

GAR 83(2) states:

(2) The owner, trainer or person in charge of a greyhound-

(a) nominated to compete in an Event;

 (b) presented for a satisfactory, weight or whelping trial or such other trial as provided for pursuant to these Rules; or

 (c) presented for any test or examination for the purpose of a period of incapacitation or prohibition being varied or revoked

 shall present the greyhound free of any prohibited substance.

**Particulars of charges:** **Charge 1: GAR 83(1A)**

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhound Australasia Rules.
2. You were, at all relevant times, the trainer of the greyhound “Amron Boy”.
3. Amron Boy was presented for, and competed in, Race 3, HPP FINAL, Mixed 6/7 Final, conducted by the Sandown Greyhound Racing Club at Sandown Park on 3 March 2022 (the Event).
4. You administered, or caused to be administered, to Amron Boy, a prohibited substance, being Carprofen, which was detected in a sample taken from Amron Boy in that:

(a) you administered a product containing Carprofen, namely ‘Carprofen tablets’, to Amron Boy on or around 27 February 2022;

(b) A post-race sample of blood was taken from Amron Boy at the Event (the Sample);

(c) Carprofen was detected in the Sample.

 **Charge 2: GAR 83(2)**

1. You are, and were at all relevant times, a trainer licensed by Greyhound Racing Victoria and a person bound by the Greyhounds Australasia Rules.
2. You were at all relevant times the trainer of the greyhound “Amron Boy”.
3. Amron Boy was nominated to compete in Race 3, HPP FINAL, Mixed 6/7 Final, conducted by the Sandown Greyhound Racing Club at Sandown Park on 3 March 2022 (the Event).
4. On 3 March 2022, you presented Amron Boy at the Event not free of any prohibited substance, given that:

(a) A post-race sample of blood was taken from Amron Boy at the Event (the Sample);

(b) Carprofen was detected in the Sample.

**Pleas:** Guilty

**DECISION**

1. Ms Brooke Ennis is a registered greyhound trainer and the trainer of the greyhound “Amron Boy”. Amron Boy competed in Race 3 at Sandown on 3 March 2022. The race was a final in a series in relation to which the greyhound competed in a heat on 27 February 2022. After the greyhound competed on 27 February 2022 and had returned to his kennel, Ms Ennis gave Amron Boy 25 milligrams (“mg”) of the drug, carprofen, in tablet form in his feed. The reason for the administration of that prohibited substance was to assist in the greyhound’s recovery. Ms Ennis had received advice from her veterinarian that there was a 72 hour withholding period with respect to the drug, based on a 100mg administration. That advice was wrong. Ms Ennis acted upon it and consequently the drug was detected in a blood sample taken from the greyhound after the race on 3 March 2022.
2. Ms Ennis has been charged by the Stewards of Greyhound Racing Victoria (“GRV”) under Greyhounds Australasia Rule (“GAR”) 83(1A) for administration to a greyhound of a prohibited substance discovered in a sample of blood taken after the event. She has also been charged with a presentation offence under GAR 83(2). Ms Ennis has pleaded guilty to both charges.
3. Carprofen is a therapeutic substance which is an anti-inflammatory drug used on horses, cattle, cats and dogs. It is capable of affecting the condition or performance of a greyhound in a positive way by, for example, inducing an artificially pain free state.
4. In setting a penalty, we take into account general and specific deterrence, the importance of maintaining a level playing field by keeping a drug free industry and recent penalties in like matters. We also take into account the guilty pleas, Ms Ennis’ relatively good record and the fact that the transgression was inadvertent and based on poor advice from a veterinarian. We note that Ms Ennis has one prior prohibited substance positive swab to meloxicam. This was some years ago for which she received a fine of $2,000. The decision of the Racing Appeals and Disciplinary Board (“RADB”) does not explain the nature of the transgression, it being a pre-March 2016 matter. However, Ms Ennis explained that the transgression in that matter was also inadvertent.
5. In all the circumstances, we impose the following penalties:

Charge 1: $1,500 fine.

Charge 2: $1,000 fine which is wholly concurrent with the penalty imposed on Charge 1.

In so doing, we note that Ms Ennis followed professional advice and could not be expected to know that a blood sample would be more likely to have the drug detected than in a urine sample.

1. In addition, Amron Boy is disqualified from Race 3 at Sandown on 3 March 2022.

Kathleen Scully
Assistant Registrar, Victorian Racing Tribunal